

REMARKS

Claims 1, 7, 17 and 21 are amended herein. Claim 5 is canceled without prejudice. New claims 23-26 are added herein. Applicants respectfully submit that these new claims are fully supported by the original specification and recite limitations previously disclosed by original claims 1, 5 and 6, for example. Accordingly, Applicant respectfully submits that no new matter is added by this Amendment. After entry of the amendments and new claims presented herein, claims 1, 3, 4 and 6-26 will be pending the present application for patent.

Allowable Subject Matter

Claims 4-7, 9, 11, 13, 14, 16-18 and 20-22 were objected to as being dependent upon a rejected base claim but were deemed allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In particular, the Examiner stated that the following limitations of claim 5 (now canceled) in combination with the remaining elements of the claim were not taught or suggested by the prior art: “a reading time recording unit operable to, each time the receiving frequency is read by the receiving control unit, record a last reading time of the receiving frequency in correspondence with the position information corresponding to the receiving frequency in the storage unit” and “a monitoring unit operable to monitor the last reading time corresponding to the position information at a constant time interval.” (See non-final Office action, dated October 14, 2011.)

In accordance with the Examiner’s findings, Applicant has amended claim 1 to include all of the limitations of allowable claim 5. To avoid an unnecessarily narrow scope of claim 1, Applicant has deleted the previously recited “additional recording unit” element from amended claim 1. Applicant respectfully submits that amended claim 1 is still patentable over the cited prior art because it now includes all the limitations of allowable claim 5, which the Examiner acknowledged were not taught or rendered obvious by the prior art. Accordingly, amended claim 1, and dependent claims 3, 4 and 6-23, are now in immediate condition for allowance. New dependent claim 23 recites the “additional recording unit” element that was deleted from claim 1.

New claim 24 is a method claim that recites method steps corresponding to the functions performed by the claimed mobile phone of amended claim 1, which is allowable for the reasons discussed above. Accordingly, Applicant respectfully submits that new claim 24 is also patentable over the prior art of record and is in immediate condition for allowance.

New claim 25 corresponds to allowable claim 6 rewritten in independent form including all of the limitations of previously presented independent claim 1 prior to the amendments made herein. Thus, new independent claim 25 recites subject matter deemed allowable by the Examiner.

New independent claim 26 is a method claim that recites method steps corresponding to the functions performed by the claimed mobile phone of new claim 25, which corresponds to allowable claim 6. Accordingly, Applicant respectfully submits that new claim 26 is also patentable over the prior art of record and is in immediate condition for allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 3, 8, 10, 12, 15 and 19 were rejected under 35 U.S.C. § 103 as being unpatentable over Fukumine et al. (U.S. 5,212,822) in view of Iwanaga et al. (U.S. 2003/0092375) in view of Yoshiki (JP Publ. No. JP8162909). Applicant submits that in view of the amendments discussed above, the rejection of these claims has been traversed. Applicant respectfully requests withdrawal of the rejection of these claims.

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Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 278542005800. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 10, 2012

Respectfully submitted,

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